

Message Text

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PAGE 01 STATE 200105

71

ORIGIN TRSE-00

INFO OCT-01 EA-07 ISO-00 EB-05 L-03 AS-01 RSC-01 /018 R

66611

DRAFTED BY: OS:MDFIELD

APPROVED BY: EB/IFD/OMA:MR. KRIZAY

TREAS/ITC: RPATRICK

L/T: WMCQUADE

EA/IMS:MR. BESHOAR (INFO)

----- 056083

R 092108Z OCT 73

FM SECSTATE WASHDC

TO AMEMBASSY JAKARTA

UNCLAS STATE 200105

E.O. 11652: N/A

TAGS: EFIN

SUBJECT: INCOME TAX TREATY

REF: JAKARTA 11486

1. CHANGES AND CORRECTIONS PROPOSED IN PARAGRAPHS

1 - 3 REFTEL ACCEPTABLE.

2. IF FINAL SENTENCE PARAGRAPH 3 MEANS REVISING THE

"EQUAL AUTHENTICITY" LANGUAGE IN CLOSING CLAUSE OF TREATY

AND PROTOCOL THIS CAN BE DONE BUT NOT STATE DEPARTMENT

POLICY TO REQUEST SUCH A STEP AND WE WOULD PREFER TO

PRESERVE BILATERAL NATURE OF THE AGREEMENT BY ACKNOWLEDGING

EQUAL IMPORTANCE OF BOTH TEXTS.

3. REGARDING QUESTIONS RAISED IN REFTEL PARAGRAPH 4:

A. USE OF THE MODIFIER "PERSONAL" WHEN REFERRING TO

SERVICES IS LARGELY A MATTER OF CUSTOMARY STYLE, ESPECIALLY

IN THE SENSE OF ARTICLES 7, 15 AND 16. WE PREFER NOT TO

DELETE IT IN 5(2) BECAUSE IT HELPS CLARIFY THAT REFERENCE

IS TO LABOR AND NOT TO SERVICES IN FORM OF PROPERTY, SUCH

AS A FORMULA.

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B. ARTICLE 26(5) WAS DRAFTED TO DEAL WITH A SPECIFIC
SITUATION ARISING IN ANOTHER COUNTRY. IT IS NOT NEEDED
HERE AND WAS DELETED TO AVOID RAISING UNNECESSARY DOUBTS.

4. PLEASE SEND ASAP INDONESIAN TEXT SO WE CAN VERIFY
TWO LANGUAGE VERSIONS. SUCH CERTIFICATION NECESSARY BEFORE
SIGNING CAN TAKE PLACE. FOR SIGNATURE ALTERNATE TEXTS
WILL BE NECESSARY TRANSPOSING REFERENCES TO UNITED STATES
AND INDONESIA, BUT COMPARISON OF INDONESIAN AND ENGLISH
TEXTS SHOULD BEGIN PROMPTLY WITHOUT WAITING FOR PREPARA-
TION OF ALTERNAT. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, INCOME TAXES
Control Number: n/a
Copy: SINGLE
Draft Date: 09 OCT 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1973STATE200105
Document Source: CORE
Document Unique ID: 00
Drafter: OS:MDFIELD
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1973/newtext/t19731043/aaaabfjn.tel
Line Count: 72
Locator: TEXT ON-LINE
Office: ORIGIN TRSE
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
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30 JUN 2005

Review Media Identifier:
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Review Release Event: n/a
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Status: NATIVE
Subject: INCOME TAX TREATY
TAGS: EFIN, ID
To: JAKARTA
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005